

Message Text

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ORIGIN STR-04

INFO OCT-01 AF-06 ARA-06 EA-07 EUR-12 NEA-10 IO-10 ISO-00

FEA-01 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00 EB-07

FRB-03 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05

PA-01 AID-05 CIEP-01 SS-15 TAR-01 TRSE-00 USIA-06

PRS-01 SP-02 OMB-01 OIC-02 (ISO) R

DRAFTED BY STR:PMURPHY/AGRIC:LABBOTT:JEH

APPROVED BY STR/RMATTHEISEN

COMMERCE:CROE

AGRIC:JHUDSON

AGRIC:ANICKERSON

LABOR:FLAVALLEE

EB/OT/TA:TO'HERRON

TREASURY:MFELDMAN

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P R 192327Z DEC 75

FM SECSTATE WASHDC

TO USDEL MTN GENEVA PRIORITY

INFO AMEMBASSY WARSAW

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E.O. 11652: N/A

TAGS: ETRD, GATT, MTN

SUBJECT: QRS CONSULTATIONS WITH POLAND

REF: (A) MTN GENEVA 9285 (B) MTN GENEVA 6823

1. AS PER REQUEST OF REF A, FOLLOWING IS BACKGROUND
MATERIALS FOR POLISH NOTIFICATION OF U.S. QRS (REF B).

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CHEDDAR (117.15)

2. IMPORTS OF CHEDDAR CHEESE ARE SUBJECT TO A QUOTA UNDER SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT OF 1933 AS DESCRIBED IN TSUS ITEM 950.08A. THE ANNUAL QUOTA OF 8,812,500 POUNDS IS ALLOCATED AMONG SUPPLYING COUNTRIES. THE QUOTA AND THE ALLOCATIONS ARE BASED ON TRADE IN A REPRESENTATIVE PERIOD (1961-65).

3. BECAUSE POLAND WAS NOT A SUPPLYING COUNTRY IN THE BASE PERIOD THERE IS NO ALLOCATION FOR POLAND. THEREFORE, THIS QUOTA ACTS AS AN EFFECTIVE PROHIBITION ON IMPORTS OF CHEDDAR CHEESE FROM POLAND.

4. THE QUOTA ALLOCATIONS ARE:

COUNTRY	POUNDS
NEW ZEALAND	5,502,498
AUSTRALIA	1,696,150
CANADA	612,352
IRELAND	562,250
SWEDEN	130,850

OTHER COUNTRIES AS FOLLOWS:

AUSTRIA, BELGIUM, BULGARIA
 DENMARK, ISRAEL, ITALY
 NETHERLANDS, PORTUGAL, SWITZERLAND
 UNITED KINGDOM, WEST GERMANY
 (AGGREGATE) ----- 308,400

5. U.S. IMPORTS UNDER TSUS 117.15:

YEAR	TOTAL U.S. IMPORTS (FOOTNOTE 1) (000 LBS.)
1968	9,830
1969	9,580
1970	9,713
1971	9,311

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1972	9,410
1973	19,916 (FOOTNOTE 2)
1974	106,286 (FOOTNOTE 3)
1975 (THROUGH OCT.)	4,269

FOOTNOTE 1 -- INCLUDES A SPECIAL QUOTA OF 1,225 THOUSAND POUNDS ALLOCATED TO CANADA FOR NATURAL AGED CHEDDAR.

FOOTNOTE 2 -- TEMPORARY INCREASE IN QUOTA BY PRESIDENTIAL PROCLAMATION 4213 OF APRIL 25, 1973.

FOOTNOTE 3 -- TEMPORARILY INCREASED QUOTA FOR CHEDDAR CHEESE BY 100 MILLION POUNDS BY PRESIDENTIAL PROCLAMATION NUMBER 4258 OF JANUARY 2, 1974.

GOUDA (117.25)

6. IMPORTS OF GOUDA CHEESE UNDER TSUS 117.25 ARE SUBJECT TO QUOTAS UNDER SECTION 22 AS DESCRIBED IN TSUS ITEMS 950.09A AND 950.09B. TSUS 950.09A IS A QUOTA ON EDAM AND GOUDA CHEESE OF 9,200,400 POUNDS BASED ON TRADE IN A REPRESENTATIVE PERIOD (1948-50). SUPPLYING COUNTRY QUOTA SHARES ARE DERIVED FROM IMPORT RECORDS, ON THE BASIS OF IMPORTATIONS OF ELIGIBLE IMPORTERS DURING THE DESIGNATED REPRESENTATIVE PERIOD. BECAUSE POLAND WAS NOT A SUPPLYING COUNTRY DURING THE REPRESENTATIVE PERIOD, THIS QUOTA ACTS AS AN EFFECTIVE PROHIBITION ON IMPORTS FROM POLAND.

7. TSUS 950.09B DESCRIBES THE QUOTA ON "CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA CHEESE," WHICH IS EQUAL TO 3,151,000 POUNDS. THE QUOTA, WHICH WAS ESTABLISHED IN SEPTEMBER OF 1968, IS ALLOCATED AMONG SUPPLYING COUNTRIES BASED ON TRADE IN A REPRESENTATIVE PERIOD (1965-1967). POLAND MAY IMPORT WITHIN THE "OTHER COUNTRY" ALLOCATION OF 56,000 POUNDS.

THE QUOTA ALLOCATIONS FOR TSUS 950.09B ARE AS FOLLOWS:

COUNTRY	ALLOCATION
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DENMARK	1,714,000
IRELAND	331,000
NETHERLANDS	169,000
NORWAY	368,000
WEST GERMANY	513,000
OTHER COUNTRIES	56,000

8. U.S. IMPORTS UNDER TSUS 117.25 (000 LBS.), WHICH INCLUDES CHEESES SUBJECT TO QUOTAS 950.09A AND 950.09B:

CALENDAR YEAR	TOTAL U.S. IMPORTS	IMPORTS FROM POLAND
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1968	21,386	0
1969	11,457	0
1970	11,799	0

1971	10,126	0
1972	10,130	0
1973	11,596	0
1974	9,371	0
1975 (THROUGH OCT.)	6,599	0

TYLZYCKI (117.8540)

9. TYLZYCKI (ALSO KNOWN AS TILSIT) CHEESE IS SUBJECT TO QUOTAS UNDER SECTION 22 AS DESCRIBED IN TSUS ITEM 950.10D IF THE PRICE IS BELOW A PRICEBREAK, WHICH IS DETERMINED ACCORDING TO HEADNOTE 3(A)(V) OF PART 3 OF SCHEDULE 9 OF THE TSUS AS DESCRIBED BELOW:

"FOR THE PURPOSES OF ITEMS 950.10B THROUGH 950.10E, THE PRICE REFERRED TO THEREIN, TO BE DETERMINED IN ACCORDANCE WITH THIS SUBDIVISION, SHALL BE THE COMMODITY CREDIT

CORPORATION PURCHASE PRICE FOR CHEDDAR CHEESE, U.S. GRADE A OR HIGHER, STANDARD MOISTURE BASIS, UNDER THE MILK PRICE SUPPORT PROGRAM, ROUNDED TO THE NEAREST WHOLE CENT, PLUS 7 CENTS, WHICH PRICE SHALL BE DETERMINED BY THE SECRETARY OF AGRICULTURE, CERTIFIED BY THE SECRETARY OF TREASURY AND PUBLISHED IN THE FEDERAL REGISTER. A CHANGE OF PRICE IN ACCORDANCE WITH THIS SUBDIVISION SHALL NOT LIMITED OFFICIAL USE

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CAUSE AN ARTICLE TO BE SUBJECT TO THE IMPORT RESTRICTIONS CONTAINED IN THIS PART IF, ON OR BEFORE THE DATE OF PUBLICATION IN THE FEDERAL REGISTER OF THE CHANGE OF PRICE, SUCH ARTICLE WAS EXPORTED TO THE UNITED STATES ON A THROUGH BILL OF LADING OR PLACED IN A BONDED WAREHOUSE."

10. THE PRICEBREAK IS CURRENTLY 92 CENTS PER POUND. ALL IMPORTS OF CHEESE FROM POLAND UNDER TSUS 117.8540 HAVE BEEN BELOW THE PRICEBREAK.

11. THE SECTION 22 QUOTAS DESCRIBED IN TSUS 950.10D APPLY TO CHEESE THAT CONTAINS MORE THAN 0.5 PERCENT OF BUTTERFAT. THE ANNUAL QUOTA IS 40,730,000 POUNDS. THE QUOTA IS ALLOCATED BY SUPPLIER COUNTRY. THE ALLOCATION FOR POLAND IS 2,064,000 POUNDS. BOTH THE QUOTA AND THE COUNTRY ALLOCATIONS ARE BASED UPON TRADE IN REPRESENTATIVE PERIODS (1967, 1970).

12. U.S. IMPORTS UNDER TSUS 117.8540. TOTAL IMPORTS UNDER TSUS 117.8540 EXCEED IMPORTS UNDER QUOTA 950.10D BECAUSE THEY ALSO INCLUDE NON-QUOTA IMPORTS ENTERING AT OR ABOVE THE "PRICEBREAK" THAT DETERMINES THE APPLICABILITY

OF THE QUOTA. THE PRICEBREAK WAS 47 CENTS PER POUND F.O.B. UNTIL JUNE 6, 1972, SINCE WHICH TIME IT HAS VARIED WITH CHANGES IN THE USDA SUPPORT PROGRAM. CURRENTLY THE PRICEBREAK IS 92 CENTS. QUOTA 950.10D WAS INCREASED FROM THE 1971 LEVEL OF 25,090,000 POUNDS TO 40,730,000 POUNDS BY PRESIDENTIAL PROCLAMATION 4138 OF JUNE 6, 1972. THEREFORE, THE QUOTA FOR 1972 WAS A PROPORTIONATE COMBINATION OF THE OLD AND NEW QUOTA LEVELS. PROCLAMATION 4138 ESTABLISHED THAT THE PRICEBREAK WOULD BE CHANGED TO A FLEXIBLE BASIS, 62 CENTS PER POUND, AND THAT THE QUOTA WOULD BE ENLARGED TO REFLECT THE REPRESENTATIVE TRADE IN CHEESE THAT HAD BEEN IMPORTED AT PRICES BETWEEN 47 CENTS AND 62 CENTS. IN 1973 THE QUOTA WAS INCREASED BY 50 PERCENT FOR A TEMPORARY PERIOD ENDING JULY 31, 1973 BY PRESIDENTIAL PROCLAMATION 4213 OF APRIL 25, 1973.

QUOTA IMPORTS FROM ALLOCATION IMPORTS FROM
950.10D WORLD TO POLAND POLAND
CY (000 LBS) (000 LBS) (000 LBS) (000 LBS)
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1971	25,090	33,430	2,064	1,292
1972	#	64,008	2,064	2,916
1973	40,730	85,669	2,064	2,916
1974	40,730	79,966	2,064	2,511
1975 #	40,730	36,406	2,064	1,939

#THROUGH OCTOBER

13. FOR FURTHER GUIDANCE THE U.S. REPRESENTATIVE SHOULD DRAW ON THE DAIRY IMPORT QUOTAS PAPER PREVIOUSLY SUBMITTED. THE U.S. POSITION ON SECTION 22 QUOTAS IN GENERAL IS DISCUSSED THERE. KISSINGER

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